

## Office of Personnel Management

## § 845.104

of this section is paid at the rate provided under § 844.302(b) until the end of the 12th month beginning after the annuity is reinstated. Thereafter, the rate determined under § 844.302(c) is payable until age 62.

(e) Notwithstanding the preceding paragraphs, an annuity may not be reinstated under this section if the individual is receiving an annuity under part 842 of this chapter.

[55 FR 6598, Feb. 26, 1990. Redesignated and amended at 58 FR 48273, Sept. 15, 1993]

## PART 845—FEDERAL EMPLOYEES RETIREMENT SYSTEM—DEBT COLLECTION

### Subpart A—General Provisions

Sec.

845.101 Purpose.

845.102 Definitions.

845.103 Prohibition against collection of debts.

845.104 Status of debts.

845.105 Termination and suspension of collection actions.

### Subpart B—Collection of Overpayment Debts

845.201 Purpose.

845.202 Scope.

845.203 Definitions.

845.204 Processing.

845.205 Collection of debts.

845.206 Collection by administrative offset.

845.207 Use of consumer reporting agencies.

845.208 Referral to a collection agency.

845.209 Referral for litigation.

### Subpart C—Standards for Waiver of Overpayments

845.301 Conditions for waiver.

845.302 Fault.

845.303 Equity and good conscience.

845.304 Financial hardship.

845.305 Ordinary and necessary living expenses.

845.306 Waiver precluded.

845.307 Burdens of proof.

### Subpart D—Agency Requests to OPM for Recovery of a Debt from the Civil Service Retirement Fund

845.401 Purpose.

845.402 Scope.

845.403 Definitions.

845.404 Conditions for requesting an offset.

845.405 Creditor agency processing for non-fraud claims.

845.406 OPM processing for non-fraud claims.

845.407 Installment withholdings.

845.408 Special processing for fraud claims.

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## Subpart A—General Provisions

### § 845.101 Purpose.

(a) This part regulates—

(1) The recovery of overpayments of FERS basic benefits;

(2) The standards for waiver of recovery of overpayments of FERS basic benefits; and

(3) The use of FERS basic benefits to recover debts due the United States.

(b) This subpart states the rules of general applicability to this part.

### § 845.102 Definitions.

In this subpart—

*FERS* means the Federal Employees Retirement System as described in chapter 84 of title 5, United States Code.

*FERS basic benefits* means any benefits payable under subchapter II, IV, or V of chapter 84 of title 5, United States Code.

*Fund* means the Civil Service Retirement Fund.

### § 845.103 Prohibition against collection of debts.

(a) Debts may be collected from FERS basic benefits only to the extent expressly authorized by Federal statute.

(b) When collection of a debt from FERS basic benefits is authorized under paragraph (a) of this section, the collection will be made in accordance with this part.

### § 845.104 Status of debts.

A payment by OPM to a debtor because of an OPM error or the failure of the creditor agency to properly and/or timely submit a debt claim under subpart D of this part, does not erase the debt or affect the validity of the claim by the creditor agency.